

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DWAYNE PARKER-EL,

Plaintiff,

- against -

13 Civ. 6996 (RWS)

OPINION

DETECTIVE WILBERT MORALES and DETECTIVE
MORALES-BELL,

Defendants.

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A P P E A R A N C E S:

Pro Se

DWAYNE PARKER-EL
45 West 132nd Street
Apt. #15J
New York, NY 10037

USDC SDNY
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Attorneys for Defendants

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Sweet, D.J.

The plaintiff pro se Dwayne Parker-El ("Plaintiff") has moved for reconsideration of the January 3, 2015 order dismissing the complaint for damages arising out of false arrest and imprisonment ("January 3 Order"). For the reasons set forth below, the motion to reconsider is granted and judgment on the January 3 Order is stayed for 45 days to give the Plaintiff an opportunity to submit opposition to the previous motion of the defendants Detective Wilbert Morales ("Morales") and Detective Morales-Bell ("Morales-Bell," and together with Morales, "Defendants").

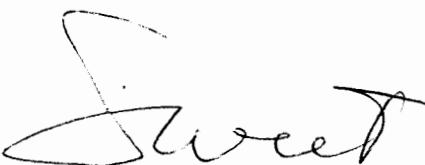
Plaintiff filed his complaint on October 1, 2013 alleging false arrest and imprisonment on October 3, 2010. Plaintiff pled guilty on July 30, 2014 to Endangering the Welfare of a Child, one of the charges on which he was arrested. Defendants moved to dismiss the complaint on the basis of that plea. The motion was unopposed and was granted in the January 3 Order. Plaintiff has moved for reconsideration stating that he did not receive notice of Defendants' motion because of a change in his address.

It appears that Defendants' motion was well-founded based on the plea of Plaintiff and the authorities cited by Defendants. Plaintiff, however, is pro se and will be given 45 days to seek counsel and to submit opposition to Defendants' letter motion (Dkt. No. 14), a copy of which will be forwarded to Plaintiff.

In the event no opposition is received or extension granted within 45 days, judgment will be entered dismissing the complaint.

It is so ordered.

New York, NY
February 16, 2015



ROBERT W. SWEET
U.S.D.J.